



PATENT

Attorney Docket No. 08576.0004-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Byron ZHAO et al.) Group Art Unit: 1633
)
Application No.: 10/575,457) Examiner: Unassigned
)
Filed: April 12, 2006)
) Confirmation No.: 3708
For: NEUROPROTECTIVE EFFECTS)
OF ATF6)

Box PG-PUB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CORRECTED PATENT APPLICATION PUBLICATION
UNDER 37 C.F.R § 1.221(b)

On November 2, 2006, the U.S. Patent and Trademark Office published this application as Publication Number US US-2006-0246037-A1. The published application contains a mistake that is the fault of the Office and is, in Applicants' view, material. Specifically, the Application publication lists the name of the first inventor as "Byron Zhao," when in fact the first inventor's name is "Byron Zhao." The Filing Receipt for this application contained the same error, and Applicants filed a Request for Corrected Filing Receipt on October 3, 2006, requesting issuance of a corrected Filing Receipt. Applicants attach a copy of that Request, and a marked-up copy of the corresponding pages of the Filing Receipt containing the mistakes. To date Applicants have not received a corrected Filing Receipt.

Applicants submit that the error is material at least because the name of the first inventor will be used to identify the application in databases, including that of the Office, and because the inventive entity of the application publication will not be properly identified, which may lead to confusion during prosecution of any continuation applications that Applicants later file.

Applicants request that the Office correct the above-identified mistake in the published application, which are the fault of the Office. Further, Applicants request that the Office forward to Applicants a copy of the corrected published application or at least a notification of the occurrence or predicted occurrence of the corrected publication once it has been corrected.

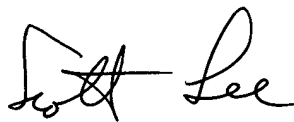
Applicants believe that no Petition or fee is due in connection with this Request. It is being timely filed on January 3, 2007 in view of the Federal government closing on January 2, 2007. However, if any Petition or fee is due, please grant the Petition and charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 3, 2007

By: _____



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COPY

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In re Application of:

Byron ZHAO et al.

Application No.: 10/575,457

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CORRECTED FILING RECEIPT

We are forwarding herewith a copy of a Filing Receipt for the above-identified patent application. The error is in the first inventor's name and is shown in red ink on the attached copy.

It is respectfully requested that a corrected Filing Receipt be issued as soon as possible.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 3, 2006

By:

James B. Monroe
Reg. No. 33,971

JBM	SML	LAT
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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/575,457	04/12/2006	1633	7030	085760004	✓12	✓121	✓8

22852
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WASHINGTON, DC 20001-4413

RECEIVED

C000000019748269

Date Mailed: 07/27/2006

**FINNEGAN, HENDERSON, FARABOW,
GARRETT AND DUNNER, LLP**

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) Byron
✓ Byron Zhao, Millbrae, CA;
✓ Mei Yu, San Francisco, CA;

Power of Attorney: The patent practitioners associated with Customer Number 22852.

Domestic Priority data as claimed by applicant

✓ This application is a 371 of PCT/US04/24571 07/30/2004
✓ which claims benefit of 60/491,565 08/01/2003

Foreign Applications

If Required, Foreign Filing License Granted: 07/25/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/575,457**

Projected Publication Date: 11/02/2006.

Non-Publication Request: No

Early Publication Request: No

8/2/06
pkh

Neuroprotective effects of atf6

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

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NOT GRANTED

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